

Aaron A. Rivers Reg # 15621-380
 Name and Prisoner/Booking Number
Victorville Medium #2
 Place of Confinement
Federal Correctional Institution, P.O. Box 3850
 Mailing Address
Adelanto, California 92301
 City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

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JAN 29 2018	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
DEPUTY	

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Aaron Andrew Rivers
 (Full Name of Plaintiff) Plaintiff,

vs.

CV 18-0053 TUCFRZPSOT

CASE NO. _____
 (To be supplied by the Clerk)

(1) Federal Bureau of Prisons
 (Full Name of Defendant)
 (2) Unit Manager Rodriguez
 (3) S.I.S. Lieutenant Marlow
 (4) S.I.S. Officer Contreras
 Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

"JURY TRIAL DEMANDED"
"CIVIL RIGHTS COMPLAINT BY A PRISONER"
A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- ☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
☒ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
☐ Other: _____

2. Institution/city where violation occurred: Federal Correctional Institution, Tucson, Tucson, Arizona

B. DEFENDANTS*(Defendants all denied giving first name)*

1. Name of first Defendant: Mrs. Rodriguez The first Defendant is employed as:
Unit Manager at F.C.I. Tucson.
(Position and Title) (Institution)
2. Name of second Defendant: S.I.S. LT. Marlow The second Defendant is employed as:
Special Investigation Spat (SIS) LT. at Tucson, F.C.I..
(Position and Title) (Institution)
3. Name of third Defendant: S.I.S. Officer Contreras The third Defendant is employed as:
Investigation Officer at F.C.I. Tucson.
(Position and Title) (Institution)
4. Name of fourth Defendant: Federal Bureau of Prison The fourth Defendant is employed as:
F.B.O.P. at F.B.O.P..
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: N/A v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: N/A v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: N/A v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

COUNT I

1. State the constitutional or other federal civil right that was violated: Discrimination due to Sexual Orientation, and being treated in a Humane manner

2. **Count I.** Identify the issue involved. Check **only one**. State additional issues in separate counts.

- ☐ Basic necessities ☐ Mail ☐ Access to the court ☐ Medical care
☐ Disciplinary proceedings ☐ Property ☐ Exercise of religion ☐ Retaliation
☐ Excessive force by an officer ☒ Threat to safety ☐ Other: _____

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Count I. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

- Unit Manager Rodriguez denied assistance to me when reported to her I was being discriminated against as well as sexually harassed in the unit and on the compound. Then reported to an "INMATE" that I was snitching to which cause me to be physically assaulted by 3 separate inmates at 2 separate times.
- S.I.S. L.T. Marlow - Told me to my face he did not believe my story and also did not conduct any investigation towards my attack. Then told me he would only lead me to a "good" compound if I gave up information on inmates. Then sent me to an "Active" Federal prison. That has political rules against individuals of my lifestyle clearly not taking my safety serious at all.
- S.I.S. Contreras did the same actions as S.I.S. L.T. Marlow but also lied to me about where he was sending me.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

I was attacked by 3 separate inmates due to information divulged to an inmate by B.O.P. Staff member unit manager Rodriguez. Head Trauma, knee injury, and back in July sustained as well as U.T.S. mental health trauma.

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
 b. Did you submit a request for administrative relief on Count I? ☒ Yes ☐ No
 c. Did you appeal your request for relief on Count I to the highest level? ☒ Yes ☐ No

d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

I did not Administrative Remedies, B.P.I. Final Remedy was denied so Allegations of Illegible document "provided"

COUNT II

1. State the constitutional or other federal civil right that was violated: Discrimination

2. **Count II.** Identify the issue involved. Check **only one**. State additional issues in separate counts.

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input checked="" type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Count II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

S. I. S. Supervisor Lieutenant Marlow attempted to endanger my life and safety by telling me I was an ex-gang member. He told me that I would be going to a "drop-out" yard but instead had me sent to an "active" gang member yard, clearly placing me in immediate danger.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

mentally injured by having my anxiety and paranoia sky rocket and then for being placed on (care 2) status in the mental health dept.

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Count II? ☒ Yes ☐ No
- Did you appeal your request for relief on Count II to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. NA

E. REQUEST FOR RELIEF

State the relief you are seeking:

An investigation into F.B.O.P. Staff members that will entail RIGOROUS and extensive overseeing of actual treatment to "Homosexual" and "disabled" inmates, as well as the safety of inmates since the staff at FCC Tucson clearly avoids the Rules and Rights including regulations of B.O.P. Policy. — Also, to receive a substantial amount of money for the pain and suffering and mental anguish I endured and still am enduring. \$1.5 million for all Rights violated, as well as discrimination, character defamation, and mental and physical pain endured seems a reasonable amount. Thank you.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

12-31-2017

DATE

SIGNATURE OF PLAINTIFF

ADAM GUZMAN

#34740380



(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages.